

**STATE OF TENNESSEE**

**PUBLIC CHAPTER NO. 502**

**SENATE BILL NO. 205**

**By Stewart, Burks, Marrero**

Substituted for: House Bill No. 280

By Matheny, Moore

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 27, relative to group insurance for public officers and employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-27-102, is amended by inserting the words "and the application of medical necessity guidelines" immediately following the word "benefits" in item (c)(1).

SECTION 2. Tennessee Code Annotated, Section 8-27-207, is amended by inserting the words "and the application of medical necessity guidelines" immediately following the word "benefits" in item (g).

SECTION 3. Tennessee Code Annotated, Section 8-27-301, is amended by inserting the words "and the application of medical necessity guidelines" immediately following the word "benefits" in item (g).

SECTION 4. Tennessee Code Annotated, Title 8, Chapter 27, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 8-27-1\_\_\_. Notwithstanding any other provision of law to the contrary, any proposed change in a group insurance plan under the provisions of this chapter which would place a tobacco surcharge on enrollees based on specific lifestyle choices shall not become effective until January 1, 2011. The provisions of this subsection shall apply to all actions taken by the committee on or after January 1, 2009.

SECTION 5. Section 4 of this act shall take effect upon becoming a law, the public welfare requiring it. All remaining sections of this bill shall take effect January 1, 2010, the public welfare requiring it.

**PASSED: June 16, 2009**

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 25th day of June 2009**

  
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PHIL BREDESEN, GOVERNOR